

U.S. Appln. No. 10/616,249
Reply to Office Action dated May 4, 2005

PATENT
450101-02997.1

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendment and remarks. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 19-24 and 27-30 are pending in this application. Claims 19 and 27 are independent. Claims 1-18, 25 and 26 have been canceled, without prejudice or disclaimer of subject matter. No new matter has been introduced. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicants are entitled.

II. OBJECTION TO THE SPECIFICATION

The Title is hereby amended, thereby obviating the objection.

III. REJECTIONS UNDER 35 U.S.C. §112

Claim 28 has been amended, thereby obviating the antecedent basis issue.

IV. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 19-24, 27, 29 and 30 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over the combination of U.S. Patent No. 5,832,100 to Lawton, et al. (hereinafter,

U.S. Appl. No. 10/616,249
Reply to Office Action dated May 4, 2005

PATENT
450101-02997.1

merely "Lawton") in view of U.S. Published Application US 2004/0249497 to Saigh, et al.
(hereinafter, merely "Saigh"). Applicants respectfully traverse the rejections.

V. RESPONSE TO REJECTIONS

Applicants respectfully submit that Saigh is not prior art to the present application. Indeed, Saigh has a filing date of March 23, 2004, which is a Continuation in Part of U.S. Serial No. 09/614,821, filed July 12, 2000. The present application has a priority date of February 10, 200, based on Japanese Application 2000-038250, which the priority documents have been received by the USPTO. Thus, even assuming that the disclosure Saigh is commensurate with the disclosure of parent application 09/614,821, the parent application filing date of July 12, 2000 is after the priority date of the present application. Thus, Saigh is not prior art to the present application.

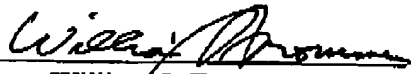
Therefore, Applicants respectfully request the rejections in view of Saigh be withdrawn.

CONCLUSION

Applicants respectfully request early passage to issue of the present application.

Please charge any fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By 
William S. Frommer
Reg. No. 25,506
(212) 588-0800